UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

GILES POINTER, JR.] .	-				
Plaintiff,]					
	j		. 8	3 0.8	0370	
V.	j	ľ	No.	00	0010	
]	J	Judge Campbell			
JAMES ROBERSON APTS., et al.]					
Defendants.]					

ORDER

The Court has before it a *pro se* complaint (Docket Entry No. 1) and an application to proceed in forma pauperis (Docket Entry No. 2). It appears from the application that the plaintiff lacks sufficient financial resources to pay for the costs of the action. Therefore, the Clerk will file the complaint in forma pauperis. 28 U.S.C. § 1915(a). However, process shall NOT issue.

The plaintiff is a resident of Nashville. He alleges that when he complained about a fellow tenant to the manager of his apartment building, he was wrongly evicted from his apartment.

Before a lawsuit can proceed, the plaintiff must show that his claims fall within the scope of this Court's subject matter jurisdiction. Perkins, Inc. v. Werner and Pfleiderer Corp., 710 F.2d 1561, 1565 (D.C. Cir.1983). This Court has jurisdiction to adjudicate claims involving a federal question, 28 U.S.C. § 1331, or claims involving parties with diversity of citizenship. 28 U.S.C. § 1332.

In this case, there does not appear to be complete diversity of citizenship between the parties.

Thus, plaintiff's claims are only actionable in this Court if they involve a federal question. The plaintiff contends that the defendants had a hand in wrongly evicting him from his apartment. This

action, therefore, is nothing more than a landlord/tenant disagreement and does not involve a federal question.

A district court is obliged to consider matters of jurisdiction, *sua sponte* if necessary. <u>Hadley v. Werner</u>, 753 F.2d 514, 516 (6th Cir.1985). Here, the plaintiff has failed to show that his claims fall within the scope of this Court's jurisdiction. Accordingly, this action is hereby DISMISSED, without prejudice, for lack of subject matter jurisdiction.

Entry of this order shall constitute the judgment in this action.

It is so ORDERED.

Todd Campbell

United States District Judge